### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

N. Arini, et al.

Group Art Unit:

1645

Serial Number:

10/550,362

Examiner:

to be assigned

Filing Date:

June 21, 2006

Docket No.:

PA0304

Title:

Determining Cell Cycle Phase Data

# REQUEST FOR CORRECTED FILING RECEIPT

Submitted to the United States Patent and Trademark Office via the "Electronic Filing System"

Office of Initial Patent Examination Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

August 8, 2006

Sir:

Please furnish the undersigned with a corrected filing receipt for the aboveidentified application. The correction required is as follows:

In the "Foreign Applications" section, please add the following foreign priority document as indicated on the declaration executed by each inventor:

<u>UNITED KINGDOM</u> 0307684.1 04/02/2003

Attached is a marked up copy of the Filing Receipt, having three total pages, and the mailing date of July 28, 2006, as required.

Please make the noted correction and forward the undersigned a Corrected Filing Receipt.

Any questions can be referred to the undersigned.

Respectfully submitted,

Yonggang Ji

Registration No.: 53,073

Agent for Applicants

GE Healthcare Bio-Sciences Corp. 800 Centennial Avenue P. O. Box 1327 Piscataway, New Jersey 08855-1327

Tel: (732) 980-2875 Fax: (732) 457-8463 I hereby certify that this correspondence is being uploaded to the United States Patent and Trademark Office using the Electronic Filing System on <u>August 8, 2006</u>.

Signature:

Name:

Melissa Leck



### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

**FILING RECEIPT** 

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/550.362	06/21/2006	1645	1280	PA0304	10	25	1

CONFIRMATION NO. 2448

22840

GE HEALTHCARE BIO-SCIENCES CORP.

PATENT DEPARTMENT 800 CENTENNIAL AVENUE PISCATAWAY, NJ 08855

 DUE DATE:
 N/A

 FORMALITIES:
 M/L × KF

 PAT. OFF:
 IB

 ON DB:
 8 Aug 2006

 CASE NO:
 PAO 304

Date

Date Mailed: 07/28/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Nicholas S. Arini, South Glamorgan, UNITED KINGDOM; Ian D. Goodyer, South Glamorgan, UNITED KINGDOM; Alla B. Zaltsman, South Glamorgan, UNITED KINGDOM;

Power of Attorney: The patent practitioners associated with Customer Number 22840.

#### Domestic Priority data as claimed by applicant

This application is a 371 of PCT/GB03/03876 09/08/2003

Foreign Applications – UNITED KINGDOM 0307684.1 04/02/2003 If Required, Foreign Filing License Granted: 07/25/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/550,362

**Projected Publication Date: 11/02/2006** 

Non-Publication Request: No

Early Publication Request: No

AUG - 7 2006

PATENT DEPARTMENT

COPY

Title

Determining cell cycle phase data

#### **Preliminary Class**

435

#### PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.



The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Docket No.: PA0304

Application No.: 10/550,362
Filing Date: To be assigned
Group Art Unit: To be assigned

Examiner: To be assigned

**Declaration Submitted After Initial Filing** 

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **Determining Cell Cycle Phase Data**

the sp	pecification of which
[] OR	is attached hereto.
[X]	was filed on <u>8 September 2003</u> as PCT International Application No PCT/GB2003/003876.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified

below, by checking the box, any foreign applications for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

0307684.1 (Number) Great Britain (Country)

2 April 2003 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below:

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/GB2003/003876

8 September 2003

(Application Serial No.)

(Filing Date)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number:

22840

Send correspondence to:

Amersham Biosciences Corp

800 Centennial Avenue

Piscataway, New Jersey 08855

Direct telephone calls to:

(732) 457-8000

Direct facsimiles to:

(732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nicholas S. Arini
Inventor's signature:	135cm
Date:	3/1/06
Post Office Address:	10 Montrose Close, Botley Southampton, S030 2RJ, Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Ian D. Goodyer
Inventor's signature:	· · · · · · · · · · · · · · · · · · ·
Date:	
Post Office Address:	8 Harris Court, 111 Tideswell Road, Eastbourne BN21 3RF, Great Britain
Citizenship:	Great Britain

Full name of third inventor:	Alla B. Zaltsman
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre, Forest Farm Estate Whitchurch, Cardiff, South Glamorgan Great Britain CF14 7YT
Citizenship:	Great Britain

Docket No.: PA0304

Application No.: 10/550,362 Filing Date: To be assigned Group Art Unit: To be assigned Examiner: To be assigned

the specification of which

**Declaration Submitted After Initial Filing** 

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### **Determining Cell Cycle Phase Data**

me op	
[ ] OR	is attached hereto.
[X]	was filed on <b>8 September 2003</b> as PCT International Application No
	PCT/GB2003/003876.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified

below, by checking the box, any foreign applications for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

0307684.1

Great Britain

**2 April 2003** 

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below:

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/GB2003/003876

8 September 2003

(Application Serial No.)

(Filing Date)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number:

22840

Send correspondence to:

Amersham Biosciences Corp

800 Centennial Avenue

Piscataway, New Jersey 08855

Direct telephone calls to:

(732) 457-8000

Direct facsimiles to:

(732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nicholas S. Arini
Inventor's signature:	
Date:	· · · · · · · · · · · · · · · · · · ·
Post Office Address:	13 Harland Crescent, Upper Shirley Southampton, SO15 7QB, Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Ian D. Goodyer
Inventor's signature:	
Date:	21/11/05.
Post Office Address:	8 Harris Court, 111 Tideswell Road, Eastbourne BN21 3RF, Great Britain
Citizenship:	Great Britain

Full name of third inventor:	Alla B. Zaltsman
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre, Forest Farm Estate Whitchurch, Cardiff, South Glamorgan Great Britain CF14 7YT
Citizenship:	Great Britain

Docket No.: PA0304

Application No.: 10/550,362
Filing Date: To be assigned
Group Art Unit: To be assigned
Examiner: To be assigned

the specification of which

Declaration Submitted After Initial Filing

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### **Determining Cell Cycle Phase Data**

[] is attached hereto.
OR
[X] was filed on <u>8 September 2003</u> as PCT International Application No.
PCT/GB2003/003876.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified

below, by checking the box, any foreign applications for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

0307684.1 (Number) Great Britain (Country)

2 April 2003 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below:

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/GB2003/003876

8 September 2003

(Application Serial No.)

(Filing Date)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number:

22840

Send correspondence to:

Amersham Biosciences Corp

800 Centennial Avenue

Piscataway, New Jersey 08855

Direct telephone calls to:

(732) 457-8000

Direct facsimiles to:

(732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nicholas S. Arini
Inventor's signature:	· -
Date:	·
Post Office Address:	13 Harland Crescent, Upper Shirley Southampton, SO15 7QB, Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Ian D. Goodyer
Inventor's signature:	<del></del>
Date:	·
Post Office Address:	8 Harris Court, 111 Tideswell Road, Eastbourne BN21 3RF, Great Britain
Citizenship:	Great Britain

Full	name	of	third	inventor:

# Alla B. Zaltsman

Inventor's signature:

X ADUS-

Date:

08-11-05

Post Office Address:

The Maynard Centre, Forest Farm Estate Whitchurch, Cardiff, South Glamorgan

Great Britain CF14 7YT

Citizenship:

**Great Britain**